IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

Paul Anthony McKissick,	:	
PLAINTIFF,	:	**Civil Action No.**
v.	:	**JURY TRIAL DEMANDED**
Equifax Information Services LLC	:	
DEFENDANT.	:	

COMPLAINT AND JURY DEMAND

Preliminary Statement

1. This is an action for damages brought by an individual consumer against the Defendant (named below) for violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.* (the "FCRA").

Jurisdiction and Venue

2. Jurisdiction of this Court arises under 15 U.S.C. § 1681p, and 28 U.S.C. §1331, 1337.

3. Venue lies properly in this district pursuant to 28 U.S.C. §1391(b).

Parties

4. Plaintiff Paul Anthony McKissick is an adult individual who resides at 2600 South Rock Creek Parkway, Superior, CO.

5. Equifax Information Services LLC ("EQ") is a business entity that regularly conducts business in the District of New Jersey with a principal place of business at 6 Clementon Road E, Suite A2 Gibbsboro, NJ 08026.

Facts

6. Defendants have repeatedly reported derogatory and inaccurate statements and information relating to Plaintiff and Plaintiff's credit history to third parties (hereafter the "inaccurate information").

7. The inaccurate information includes, but is not limited to, the Doctors Business Bureau collections account in Plaintiff's Equifax credit report. This account is inaccurate because, among other things, it fails to report that this debt obligation was discharged in Plaintiff's bankruptcy.

8. Equifax had similar inaccurate information reported as to approximately three other accounts, failing to accurately note Plaintiff's bankruptcy filing in those trade lines. Equifax corrected those other accounts after Plaintiff's dispute, but continues to refuse to correct the Doctors Business Bureau account.

9. Moreover, Equifax has failed to complete its investigation of the disputed Doctors Business Bureau account trade line within thirty (30) days from when the dispute was received.

10. The inaccurate information has repeatedly appeared on Plaintiff's consumer report provided by EQ. Plaintiff disputed the inaccurate information with Defendant EQ, and Defendants have refused to remove the inaccurate information.

11. Despite disputing the information, Defendants continue to report the inaccurate information through the issuance of false and inaccurate credit information and consumer credit reports that it has disseminated to various persons and credit grantors, both known and unknown.

12. Defendant either did not engage in any investigation when they were informed of the inaccurate reporting, or (alternatively) did not engage in a reasonable investigation, as such an investigation would have revealed that information relating to the judgment was being inaccurately

reported.

13. Defendant knew or should have known that its actions violated the FCRA. Additionally, Defendant could have taken the steps necessary to bring their agents' actions within compliance of the statutes, but neglected to do so and failed to adequately review those actions to insure compliance with said laws.

14. Plaintiff's credit report and file have been obtained from EQ and has been reviewed by prospective and existing credit grantors and extenders of credit, and the inaccurate information has been a substantial factor in precluding Plaintiff from receiving credit offers and opportunities, known and unknown. Plaintiff's credit reports have been obtained from EQ by such third parties. Plaintiff has also suffered increased interest rates and insurance premiums as a result of Defendant's reporting of the inaccurate information.

15. As a result of Defendant's conduct, Plaintiff has suffered actual damages in the form of credit denial or loss of credit opportunity, credit score reduction, informational harm, privacy harm, credit defamation and emotional distress, including, but not limited to, anxiety, frustration, embarrassment, and humiliation.

16. At all times pertinent hereto, Defendant was acting by and through their agents, servants and/or employees who were acting within the course and scope of their agency or employment, and under the direct supervision and control of the Defendants herein.

17. At all times pertinent hereto, the conduct of the Defendant, as well as that of its agents, servants and/or employees, was intentional, willful, reckless, and in grossly negligent disregard for federal laws and the rights of Plaintiff.

Count One – Violations of the FCRA
Plaintiff v. EQ

18. Plaintiff incorporates the foregoing paragraphs as though the same were set forth at length herein.

19. At all times pertinent hereto, EQ was a "person" and a "consumer reporting agency" as those terms are defined by 15 U.S.C. § 1681a(b) and (f).

20. At all times pertinent hereto, Plaintiff was a "consumer" as that term is defined by 15 U.S.C. § 1681a(c).

21. At all times pertinent hereto, the above-mentioned credit reports were "consumer reports" as that term is defined by 15 U.S.C. § 1681a(d).

22. Pursuant to 15 U.S.C. §1681n and 15 U.S.C. §1681o, Defendant is liable to Plaintiff for willfully and negligently failing to comply with the requirements imposed on a consumer reporting agency of information pursuant to 15 U.S.C. § 1681e(b) and 15 U.S.C. § 1681i(a).

23. The conduct of Defendant was a direct and proximate cause, as well as a substantial factor, in bringing about the actual damages and harm to Plaintiff that are outlined more fully above and, as a result, Defendant is liable to Plaintiff for the full amount of statutory, actual and punitive damages, along with the attorneys' fees and the costs of litigation, as well as such further relief, as may be permitted by law.

JURY TRIAL DEMAND

24. Plaintiff demands trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff seeks judgment in Plaintiff's favor and damages against the Defendant, based on the following requested relief:

a. Actual damages;

b. Statutory damages;

c. Punitive damages;

d. Costs and reasonable attorneys' fees; and

e. Such other relief as may be necessary, just and proper.

Respectfully submitted,

THE KIM LAW FIRM, LLC

BY: */s/ Richard H. Kim (RHK 8964)*______

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Dated: October 10, 2017